

04-O-1822

A SUBSTITUTE ORDINANCE AS AMENDED BY:  
ZONING COMMITTEE

Z-04-123

AN ORDINANCE TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA TO REZONE CERTAIN PROPERTIES WITHIN THE CHESHIRE BRIDGE ROAD CORRIDOR FROM THE C-1 (COMMUNITY BUSINESS), AND THE C-2 (COMMERCIAL SERVICE), R-4 (SINGLE FAMILY RESIDENTIAL), RLC (RESIDENTIAL LIMITED COMMERCIAL), AND RLC-C (RESIDENTIAL LIMITED COMMERCIAL-CONDTIONAL) DISTRICTS TO THE NC-5 CHESHIRE BRIDGE ROAD SOUTH NEIGHBORHOOD COMMERCIAL DISTRICT, AND FOR OTHER PURPOSES.

NPU: F

COUNCIL DISTRICT 6

**WHEREAS**, the Cheshire Bridge Road Study was adopted by City Council on September 21, 1999, and approved by the Mayor on September 30, 1999; and

**WHEREAS**, the Cheshire Bridge Road Study recommended rezoning the south end of Cheshire Bridge Road to a Neighborhood Commercial district; and

**WHEREAS**, the Cheshire Bridge Road Study task force has requested the City to rezone portions of the Cheshire Bridge Road corridor to a Neighborhood Commercial district; and

**WHEREAS**, the proposed application is in keeping with the purposes and intent of the regulations of the Neighborhood Commercial District ordinance; and

**WHEREAS**, the 1982 City of Atlanta Zoning Ordinance and official zoning maps should be amended to include the proposed new designation;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:**

Section 1: That the 1982 City of Atlanta Zoning Ordinance is hereby amended by adding a new Chapter 32E. NC-5 Cheshire Bridge Road South Neighborhood Commercial District, and the official zoning maps established in connection therewith are changed to include certain properties located along the Cheshire Bridge Road corridor. Said district shall read as follows:

Chapter 32E. NC-5 Cheshire Bridge Road South Neighborhood Commercial District

Section 16-32E.001. Scope of Provisions.

The regulations set forth in this chapter, or set forth elsewhere in this part, when referred to in this chapter, are the regulations for the NC-5 Cheshire Bridge Road South Neighborhood Commercial District. The general NC district regulations shall apply to this NC-5 district except where said NC-5 district regulations conflict with the general NC regulations, said NC-5 regulations shall apply.

Section 16-32E.002. Specific Regulations.

The following regulations are specific to the NC-5 Cheshire Bridge Road South Neighborhood Commercial District.

1. Permitted Principal Uses: Parking structures and lots to serve primary uses within the district.
2. Special Use Permits: Retail establishments between eight thousand (8,000) square feet and fifteen thousand (15,000) square feet in floor area.
3. Special Administrative Permits:
  - a. Variations in street tree requirements. Variations are subject to constraints such as overhead or underground utilities.
  - b. Demolition and relocation of existing retail establishments that exceed eight thousand (8,000) square feet into a new structure, provided that there is no increase in total floor area of the establishment.
4. Street furniture and tree planting zone: Along Cheshire Bridge Road the street furniture and tree planting zone shall be landscaped except where on-street parking is provided, and shall have a minimum width of ten (10) feet adjacent to curb. On-street parking may be placed in the street furniture zoned, provided that street trees are installed in bulb-outs located at intervals within the area used for on-street parking, as approved by the Bureau of Planning.
5. Outdoor dining within required sidewalk: outdoor dining may encroach into the sidewalk clear zone provided the following criteria are met:
  - a. Shall have a minimum of eight (8) feet wide of unobstructed sidewalk clear zone area when located adjacent to the street furniture and tree planting zone;
  - b. No permanent structure or ornamentation shall be located within the area where encroachment is permitted and no element shall be attached to the sidewalk in any way;
  - c. At such time as the outdoor dining use is discontinued, sidewalks shall comply with all requirements of this Chapter; and



- d. Outdoor dining may be separated from the sidewalk only with movable planters, fencing or similar non-fixed barriers provided they do not exceed a height of thirty-six (36) inches including any plant material.
6. Minimum Off-street Parking Requirements:
- a. *Banks and similar institutions*: One (1) space for each three hundred (300) square feet of floor area.
  - b. *Clothing and tailor shops*: One (1) space for each three hundred (300) square feet of floor area.
  - c. *Laundry and dry cleaning pick-up stations and coin operated laundromats*: One (1) space for each three hundred (300) square feet of floor area.
  - d. *Retail establishments, including catering, delicatessen and bakeries, but not other uses as provided below*: One (1) space for each three hundred (300) square feet of floor area.
  - e. *Sales and repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks and watches, and the like*: One (1) space for each three hundred (300) square feet of floor area.

Section 2: That the 1982 Zoning Ordinance Map of the City of Atlanta is hereby amended as shown on "Attachment A".

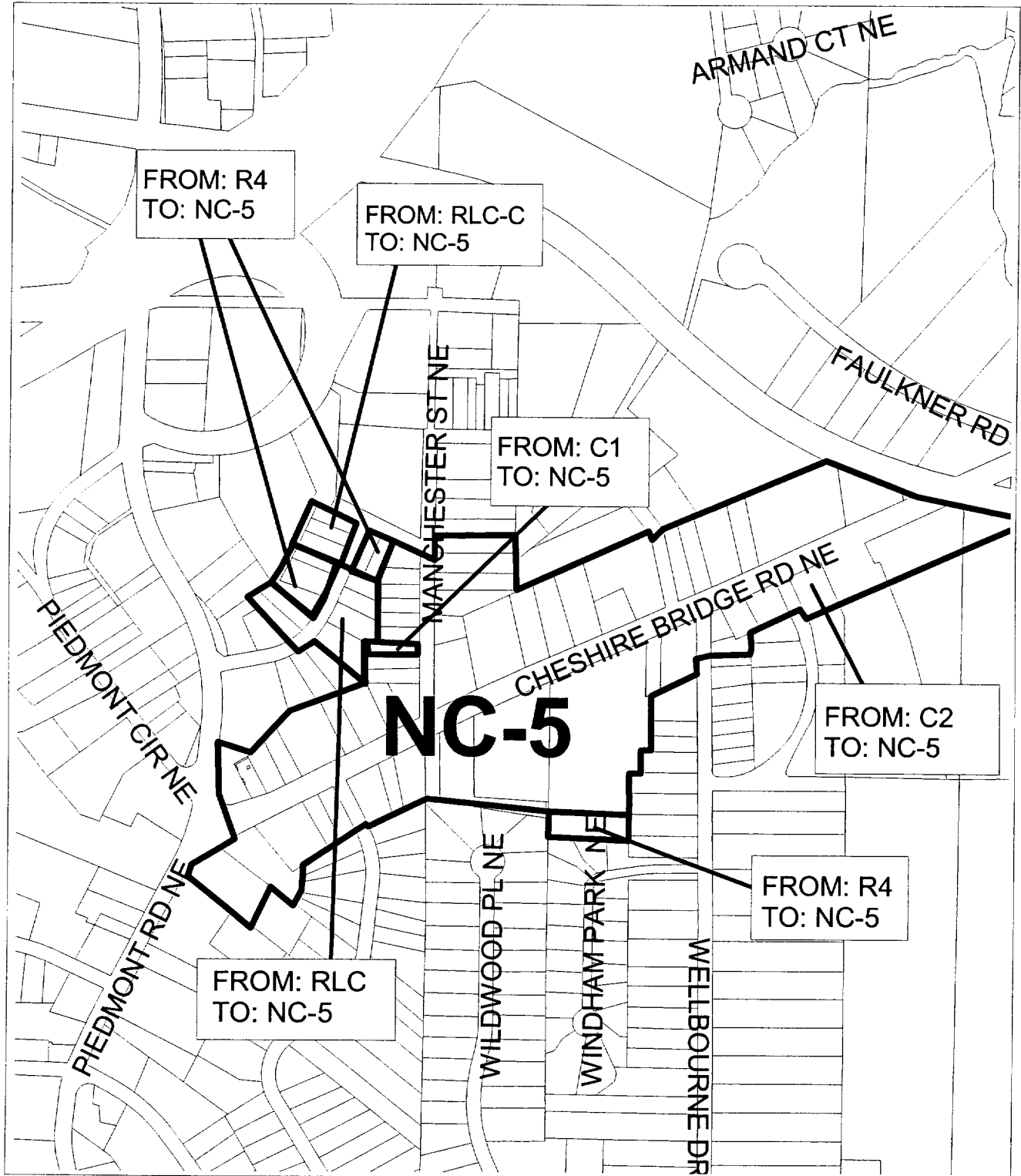
Section 3: That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.

A true copy,  
*Rhonda Darghina Johnson*  
Municipal Clerk, CMC

ADOPTED as amended by the Council  
APPROVED by the Mayor

Jan 03, 2005  
Jan 10, 2005

**SUBSTITUTE  
"ATTACHMENT A"  
Z-04-123  
PROPOSED  
NC-5 CHESHIRE BRIDGE ROAD SOUTH  
NEIGHBORHOOD COMMERCIAL DISTRICT  
NPU F/ COUNCIL DISTRICT 6  
DISTRICT 17 - LANDLOT 50**



RCS# 6397  
1/03/05  
4:10 PM

Atlanta City Council

Regular Session

04-O-1822

Z-04-123 REZONE F C-1 C-2 R-4 RLC RLC-C  
TO NC-5 CHESHIRE BRIDGE RD SOUTH NEIGH  
ADOPT ON SUB

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 1  
ABSENT 0

Y Smith	NV Archibong	Y Moore	E Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

04-O-1822

04-0-1822  
(Do Not Write Above This Line)

AN ORDINANCE BY:  
COUNCIL MEMBER FAUVER

AN ORDINANCE TO AMEND THE 1982  
ORDINANCE OF THE CITY OF ATLANTA  
TO REZONE CERTAIN PROPERTIES  
WITHIN THE CHESHIRE BRIDGE ROAD  
CORRIDOR FROM THE C-1 (COMMUNITY  
BUSINESS), THE C-2 (COMMERCIAL  
SERVICE), R-4 (SINGLE FAMILY  
RESIDENTIAL), RLC (RESIDENTIAL  
LIMITED COMMERCIAL), AND THE RLC-C  
(RESIDENTIAL LIMITED COMMERCIAL-  
CONDITIONAL) DISTRICTS TO THE NC-5  
CHESHIRE BRIDGE ROAD SOUTH  
NEIGHBORHOOD COMMERCIAL DISTRICT,  
AND FOR OTHER PURPOSES.

NPU F COUNCIL DISTRICT 6

SUBSTITUTE

- ☐ CONSENT REFER
- ☒ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred 10-18-2004

Referred To: ZRB & Zoning

Date Referred

Referred To: JAN 03 2005

First Reading  
Committee Date 10-13-2004  
Chair 10-13-2004  
Referred To 10-13-2004

Committee Date 10-15-2004  
Chair 10-15-2004  
Action 10-15-2004  
Fav, Adv, Hold (see rev. side)  
Other 10-15-2004  
Members 10-15-2004  
Refer To 10-15-2004

Committee Date  
Chair  
Action  
Fav, Adv, Hold (see rev. side)  
Other  
Members  
Refer To

FINAL COUNCIL ACTION  
☒ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

JAN 03 2005

CERTIFIED  
JAN 03 2005

Mayor's Signature  
MAYOR'S ACTION

MAYOR